

A

## WORD

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IN DEFENCE OF

## The BILL of RIGHTS,

AGAINST

## Gagging Bills.



By THOMAS BEDDOES, M. D.

Rara temporum felicitas, ubi sentire quæ velis et quæ  
fentias dicere licet.

TACITUS.

Stay, happy days! while, free from base controul,  
The tongue may tell the dictates of the soul.

ANON.

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DEFENCE  
OF THE  
BILL OF RIGHTS.

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" IT is the Right of the Subject to petition the King, and all Commitments and Prosecutions for such petitioning are illegal."

BILL OF RIGHTS, Art. 5.

THE individual inhabitants of Great Britain have been distinguished for a century past by superior generosity, openness, and energy of character; the society at large by a degree of unexampled prosperity. For so long have we enjoyed in a superior degree the use of REASON and SPEECH, the two great faculties by which the Almighty has distinguished MAN from the brute creation. Other countries more favoured by nature, have languished in time of peace; and though far surpassing us in numbers, have yielded in war to the courage which liberty inspired. To look ministers in the face, to applaud without meanness and censure without fear, has been our privilege and boast. We have felt no dread of capricious mistresses, of spies ripened by pocket-picking for perjury, or vindictive agents of government. We have it among the most solemnly recorded and recognized of our rights to deliberate in common concerning grievances without ministerial controul, and to petition with frankness for redress. This inheritance we derived from our ancestors, by whom it was dearly bought, as by us it has been securely enjoyed. Two years ago was it supposed, that there existed a tool of despotism so abject as to dream of dispossessing us? But two weeks ago could we be apprehensive of losing that, which more than being born in a certain country, constitutes us Englishmen? Ten thousand swords were called by the fancy of Mr. Burke from their scabbards to avenge a look threatening insult to the beautiful and high-born Queen of France. What conceptions would have crowded in upon him at the idea of an infringement of British freedom, more audacious than Pitt the elder ever imputed to Lord Bute, or Pitt the younger to Lord North? Millions of indignant voices reprobating the sacrilege, and millions of hands signing petitions for an impeachment of its perpetrators, would have been forms of disapprobation too tame for his exalted imagination.

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imagination It remains to be seen whether the countrymen (and once the constituents) of Mr. Burke are so astonished at the magnitude of the outrage, or so sunk in spirit as to refrain from an humble petition and remonstrance, ere yet a wall of brass be interposed between the people and their representatives.

To go about to convince men of what they ought to know by feeling rather than reason, is a disheartening task. Nor can I repeat the tritest truths of history without a sense of degradation. My own pride is hurt, I am concerned for the understanding of my reader, when I tell that the possessors of power are ever on the watch to encroach ; that a nation which flounders over its rights, will be fortunate if it awake not in fetters ; that the fairest pretexts are ever thrown over the foulest designs ; that crafty statesmen take advantage of the finest feelings of human nature, to plunge mankind into misery ; that to convey powers hostile to humanity, in dark ambiguous terms, is a common fraud ; for there remains the expedient of explanatory acts to define and enforce ; and the people having been familiarized to the first evil, it is expected that there is hardly any aggravation at which they will revolt.

These maxims, founded on the sad experience of ages, apply to all attempts to lay the people at the mercy of administration. They are the truths of all times and all countries. But there are immediate and certain evils to be apprehended by us from the destruction of the *bill of rights*; evils terrible in themselves and more grievous to Englishmen from their long habitude of freedom.

Before I enumerate the principal of these evils, (for to deduce them in their whole extent, and paint them in all their horror, is a task beyond the talents of the writer and the pressure of the occasion,) I must put it to my reader to determine whether

*to alter be not to destroy.*

To be debarred from assembling, except under the arbitrary authority of a magistrate, who may and in all important cases will be dependent on administration, what is it but to be debarred from ever carrying a petition adverse to the will of the minister ? What body of men ever so respectable; ever so friendly to order ; so abhorrent to anarchy ; holding in view an object ever so commendable, shall meet without danger of being ignominiously dispersed as vagabonds ; and even arrested as seditious, or imprisoned as felons, if human frailty should allow one burst of just indignation ? And this by a wretched hireling, disposed to amuse himself with the capricious display of his authority, when he is charged with no secret instructions from his employers ; who, when he is not the puppet, will

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act the petty tyrant, of the hour? ——The more incapable, designing, or dangerous the minister, the more certainly will he guard his follies or his villainies with the gorgon shield of FELONY. No modification, therefore, I contend, of this grand essential prerogative of freemen can be projected, which shall not subject its exercise to the indirect but entire controul of the minister. And looking to the history of our country for the last twenty years, we may perceive how often it has been necessary to controul ministers by the exercise of this right. By what but the exercise of this right was the American war arrested in its horrid progress? By what else was another war prevented? By what but the disapprobation of the people, in some manner expressed, can the present more ruinous and bloody contest be terminated?

To surrender this right, then, would be deliberate political suicide. And be assured, that neither national prosperity nor the noble attributes of the British character will long survive the death of freedom. Our immediate ancestors harboured suspicions of a settled design to stifle that spirit of freedom which is to the moral order of society what the vivifying sun himself is to the physical order of the universe. I have neither time to state, and who needs to be told, the dark designs imputed to Lord North, to his predecessors, and his secret directors? But was it ever prophesied that a minister should dare to aim an open stroke at liberty, using for his dagger the misplaced confidence of the people!! That people making no legal effort to ward off the blow; the last of the Britons overwhelmed in speechless amazement!

1. To abolish the bill of rights under the pretext of altering it is to cut by one cruel stroke the nerve of affection, by which each Englishman feels for the welfare or adversity of all—the nerve which connects us all with the sensorium of the State. An unskilful minister engaged in a pernicious war and trying like a desperate gamester to retrieve his original rashness, may go on staking our property and lives, till the last guinea and the last man, capable of bearing arms be sacrificed. If you complain in a manner not subject to the proposed penalties, (to which imprisonment in the Bastile is a tender mercy) yet you will be answered by a brutal and unprincipled tool of administration: " March, pay, and be d-mned.—What are " public affairs to those, whose only part is to suffer and obey."
2. Once violate that, which has not less emphatically than justly been styled the Palladium of English liberty—the freedom of the Press, and the first of our unprincipled ministers, if he have the least management, may inscribe upon the lips of every inhabitant of Great Britain the terrible motto of despotism: *De par le Premier. Slave, speak not at all of State-affairs, or speak but as I will.*—Who needs to be informed how easy it will be to assert during some moment of confidence or alarm, that the government of the country cannot possibly go on, while the measures of administration may be canvassed;

and to bring in a supplemental act accordingly, declaring it felony to excite *contempt* against administration; as was actually intended by the mover of one Bill. The more pernicious the measures, the more strenuous will the junto in power be in maintaining throughout the kingdom the mournful silence of despair. Misery will be obliged to stifle its groan, and Virtue her sympathising sigh; till at last in a nation characterized by every manly and humane attribute, all the kindly feelings of the heart retire inwards and die.—

3. The *influence of the Crown* which the present minister gave the nation every reason to believe he would use all his efforts to diminish, but which has grown during his administration to a far more tremendous magnitude than it had attained before, will have no check. Public spirit will be extinct or dumb. And on this influence, against which the Commons protested, and every man inveighed, in whose bosom one spark of patriotism glowed, will no mortal thenceforward be able to "look and live." Then will that prophecy which Mr. Pitt delivered in the ardour of his youthful integrity be fulfilled in all its extent of horrors: "The House of Commons," he predicted, (May 7, 1783,) "which according to the true "spirit of the Constitution, should be the guardian of the people's "freedom, the check and controul over the executive power— "will through the **INFLUENCE OF THE CROWN** degenerate into "a mere engine of tyranny and oppression."

4. The day on which laws against liberty shall be enacted, will be a proud day for the enemies of our country, inasmuch as they will date from the destruction of our national spirit, the certain decay of our national greatness. This, though I have before remarked it, will bear repeating. But what is still more terrible in apprehension, inasmuch as it comes home to every honest bosom, is the revolution it will produce in the moral precedence of mankind. Every individual who aspires after integrity, but is too timid to practice it in the face of reproach or danger, will feel that *it is not the time to be honest*. Few people will be able to afford to keep a conscience. The jubilee of villainy, the millenium of knaves will commence from that hour. And not only the honest, but even the rich will be under the domineering influence of those, who at present walk about society with some modest apprehension, of having their ears cropped, if they should be detected in their occupation of smuggling into courts of justice false oaths against the lives of the innocent. The reader may imagine what a demand will take place for hunters of treason, hunters of sedition, and every description of human blood-hounds, together with personages to act the graver part of the *gagging magistrate*, if ever a people, unreasonably discontented at hopeless war and growing scarcity, should assemble to frame a modest petitionary statement of their grievances.

If any one has so little insight into the transactions of this world as to doubt respecting the necessary ascendancy of the worthless and the villainous, in nations where liberty is infringed,

fringed, I am sure that on a moment's reflection, his heart and his understanding will both assent to the melancholy but important truth. An atheist will ever make the best bigot. A man without honour or conscience will always feign the warmest attachment to any principles, provided his hypocrisy promises to give him importance and to promote his interest. Hence the most abandoned of wretches are always the most forward to volunteer their vigilance in a time of public alarm. They assume the style and title, the air and attitude, of friends of administration. In a Republic they will carry on bloody persecution under the pretence of *civism*; in a Monarchy under that of attachment and affection to the Monarch. Whatever work the minister wants them to execute, that they will undertake. The tender-hearted and even the just are affected with deep melancholy at the execution of the greatest of criminals—of a convicted murderer, for example. When they assist in forwarding justice, it is with sighing and sorrow for the sad lot of the criminal, and the degradation of that nature which they have in common with him. But when they suspect that the punishment exceeds the offence, and that the law proceeded from a spirit of vengeance, or was surprized from the representatives of a people by the crafty contrivance of relentless ministers—at a time perhaps when, as Mr. Pitt said of Lord North and his coadjutors, “They may themselves begin to ‘dread lest the indignation of a great suffering people should ‘fall on their heads,’” (1781)—when good men, I say, discover a sanguinary spirit in the laws, they feel an anguish which stretches the heart to bursting; and are at least never forward to assist in putting them in force. The wealthy, again, will be too indolent and too high-spirited for all the dirty and bloody business of such an administration: neither would they be trusted; for whenever wicked men, invested with authority, have made havoc of their species, history shews that it has been done by the assistance of *poor rogues*. It is in character, too, if I may observe it by the way, that they should aim at the noblest deer of the forest. The Russells and the Syneys must ever be the victims of a James and a Jefferies.

What I have said is, I trust, sufficient to shew how under a bad administration villains will snatch opportunity to exercise a half usurped and half delegated despotism over men of property, as well as over men of virtue. I could enumerate a thousand other ways by which the loss of liberty degrades and depresses nations. I think Britons will find it difficult to accommodate their spirit to the Procrustes' bed of servitude. When the alternative is *speak or be enslaved*, the nation will exclaim with common consent of heart and voice in the comprehensive words of our popular national song:

Rule Britannia, rule the waves,  
For Britons never will be slaves.

Assemble then my countrymen, and pronounce with calm and dignified firmness. Mr. Dundas himself almost called

upon you for your sentiments, when he said that the impending Bills ought not to pass, if the people expressed disapprobation. By your peaceful demeanour you will convict of calumny those who assert, you are not to be trusted to assemble. Let not even an indiscretion escape you, which can lend a plausible argument to tyranny.

I remember the time when the indignation of the whole people was called forth by an attack only on the chartered rights of one company. What you now ought to feel, when you are threatened with the loss of your great privilege, which is likewise the safeguard of all the rest, I leave to your reflections. I know that a volume might be written to shew how little to be regarded was that attempt upon the East India Company, in comparison with the present upon our most highly valued and dearly bought rights. But if a volume might be written, that man who requires a page to convince him of the alarming difference, is already a slave in heart.

Citizens of Bristol ! It seems uncertain whether your chief magistrate will convene you. That some of your inconsistent wealthy fellow-citizens—once the professed friends of freedom, refused to be instrumental to your meeting, I know and lament. Unfeeling, daftardly, and inconsiderate men ! who apprehend danger from an assembly of the people, and dread nothing from the abrogation of our noblest rights ! Citizens, take warning from the fact ; it is instructive. If men who are only weak and misguided would impede your meeting, on an occasion to which ages can bring none other equal, what use may unprincipled magistrates, the tools of an unprincipled ministry, make of that law which is to give them despotic power over you when assembled ; a law, which will make it almost impossible for public censure to remove the worst of ministers ? Citizens ! let not petty difficulties prevent the exercise of your rights. Assemble, if you can find no other place in Queen-Square. I know not if the Sailor who covered the head of George II. when our fleet was retreating before the enemy, be now in our port. If he be, the generous feelings of his untutored mind may induce him to clothe the statue of King William in black, till our liberties be secure. Then, Citizens, were our meeting held there, the scenery would be appropriate to the occasion.

I cannot now enquire whether as some pretend you may trust the present minister with laws which in themselves these very persons profess to abominate. Citizens, if an examination of the minister's conduct be permitted, I engage to demonstrate that this man's whole public life has been employed in winding and doubling along the maze of intrigue, under the guidance of selfish craft : and that the bitterest charges in his harangues against Lord North are applicable with more force to himself. Let his success in war—"our "severe defeats and ineffective victories" speak for his capacity

as a statesman. From our sea victories and from our prosperity in trade, what is his merit? Had not our seamen courage and skill before him? And our manufacturers and merchants, industry, dexterity, enterprize, and capital? Be not cajoled by fluent plausibility of speech. The fate of the West Indies will determine whether his ill-starred councils (like those of his prototype Lord North) shall cut off another limb from our possessions. I hope you will prevent him from leaving the British empire a spiritless as well as a mutilated trunk.

Citizens, you have one fact that shews more clearly than a thousand words, what use would be made of these new powers. The minister had it in contemplation to restrict political conversation in private houses to a limited circle! We have boasted that our houses were our castles. Add to this that it was without contradiction asserted in the House of Commons, that numerous warrants were prepared to be issued after the conviction of the state prisoners, whom an English jury acquitted. Remember too the premature declaration of a well known zealous Bishop.—say, **SPIRIT OF THE BLOODY ROBESPIERRE, WHAT MAY THESE SIGNS PORTEND!**—Besides, is this a time for applying corrosives to inflame and ulcerate the public mind! Merciful Providence! grant that the blinded eyes of our ministers may see, and their (I fear) hardened hearts feel, that **PEACE** and **PLENTY** are lenitives essential to public tranquillity!

They talk of property! as if that stood not more secure than the rock of Gibraltar, till the minister in his infatuation, conceived the idea of supporting it by his subversive props. It is still immovably firm; if he have only a lucid interval from the insanity of imagining that to increase distress is the way to diminish discontent, that a government becomes amiable through burdens—respectable through defeat. But does not the political magician feel that his spells are nearly exhausted! Is it not for the failing efficacy of his wand he trembles!

For myself, I deprecate all violence. I have no talents for pillage. Peto placidam sub libertate quietem. Peace and liberty have my sincerest vows. I shudder at the idea of confusion. In this spirit, descrying anarchy at the end of an avenue of oppression, I protest against that revolution of law which threatens our liberties. A man accustomed all his secluded life to seek truth by the instrumentality of reason, cannot well fail to abhor the disorders committed by mobs. But must not the same habit of reflection teach him to abhor with still keener detestation the disorders, perpetually desolating society from the rapacity and ambition of ministers? In reality how few mobs occur in history, which have not *directly* arisen from ministerial arts, or *indirectly* from oppression, or that ferocious spirit of bigotry which it is the duty of all governments to mitigate by diffusing the divine spirit of universal charity.

*Clifton, 17th November, 1795.*

